

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

LG DISPLAY CO., LTD.,

Plaintiff,

v.

CHI MEI OPTOELECTRONICS  
CORPORATION, et al.

Defendants.

Civil Action No. 06-726 (JJF)

Civil Action No. 07-357 (JJF)

**CONSOLIDATED CASES**

**NOTICE OF LODGING OF EMAIL COMMUNICATION**

PLEASE TAKE NOTICE that LG Display Co., Ltd. is filing an electronic copy of the attached email communication dated July 9, 2008 from Richard D. Kirk to the Honorable Joseph J. Farnan, copies of which were served on all counsel.

July 9, 2008

BAYARD P.A.

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**From:** Richard Kirk  
**Sent:** Wednesday, July 09, 2008 3:14 PM  
**To:** 'jjf\_civil@ded.uscourts.gov'  
**Cc:** 'Rovner, Philip A.'; 'Pascale, Karen'  
**Subject:** LG Display Co., Ltd. v. CMO and AUO, C.A. No. 06-726-JJF

RE: *LG Display Co., Ltd. v. CMO and AUO, C.A. No. 06-726-JJF and C.A. No. 07-357-JJF (consolidated)*

Dear Judge Farnan:

LG Display Co. Ltd. ("LG Display") filed a Motion for Entry of a Protective Order on June 6, 2008 (D.I. 224). Briefing was completed last week (Opening Brief, D.I. 226; answering brief, D.I. 292; reply brief, D.I. 324). Today, without seeking or obtaining leave, defendant Chi Mei Optoelectronics Corp. ("CMO") filed an unauthorized Sur-Reply (D.I. 330). LG Display requests the Court to strike and disregard CMO's improper Sur-Reply.

Since LG Display's Motion for Entry of a Protective Order is noticed for presentation this Friday, July 11, 2008, at 10:00, LG Display is concerned that CMO's improper Sur-Reply and its new proposal, if considered, would create a false impression that this issue is similar to the issue the Court recently resolved regarding defendant AU Optronics "product files" (oral order of July 7, 2008). There the issue was AUO's concern about disclosure of its highly confidential information by LG Display's outside attorneys *to third parties*. The instant issue involves LG Display's concern about disclosure of its highly confidential information *to CMO's insiders*. CMO's new proposal does not resolve the threat to LG Display or the problems discussed in LG Display's reply brief. CMO merely suggests that it could take a few additional steps to prevent disclosure of LG Display's information to third parties *other than* CMO's insider employees. The problem remains that any disclosure to CMO's insiders poses an unjustifiable competitive risk to LG Display.

If the Court considers CMO's unauthorized Sur-Reply, LG Display respectfully requests that it likewise consider this brief rejoinder.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned counsel certifies that, on July 9, 2008, he served the foregoing documents by email and by hand upon the following counsel:

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